

TITLE FOUR - Utilities
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CHAPTER 1040
 Water

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CROSS REFERENCES

Water quality - see Mich. Const., Art. 4, Secs. 22, 52; M.C.L.A. Secs.67.38,
 323.1 et seq.

Water supply generally - see Mich Const., Art. 7, Sec. 24; M.C.L.A. Secs. 46.171 et
 seq., 123.111 et seq., 325.201 et seq., 486.51 et seq., 486.101 et seq.

Public utilities - see CHTR. Secs. 7.9 et seq.

Water pollution - see GEN. OFF. 678.06

Sewers - see S.U. & P.S. Ch. 1042

Water mains in subdivisions - see P. & Z. 1246.02

1040.01 CROSS CONNECTIONS.

(a) The City hereby adopts by reference the Water Supply Cross Connection Rules of the Michigan Department of Public Health, being R 325.431 to R 325.440 of the Michigan Administrative Code.

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(b) The Public Works Department shall cause inspections to be made of all properties served by the public water supply where cross connections with the public water supply are deemed possible. The frequency of inspections and reinspections based on potential health hazards involved shall be as established by the City and as approved by the Michigan Department of Public Health.

(c) Representatives of the Public Works Department may enter, at any reasonable time, any property served by a connection to the public water supply system of the City for the purpose of inspecting the piping system thereof for cross connections. On request, the owner, lessee or occupant of any property so served shall furnish to the inspector any pertinent information regarding the piping system on such property. The refusal to give such information or the refusal of access, when requested, shall be deemed evidence of the presence of cross connections.

(d) The City is hereby authorized and directed to discontinue water service, after reasonable notice, to any property wherein any connection in violation of this section exists, and to take such other precautionary measures deemed necessary to eliminate any danger of contamination of the public water supply system. Water service to such property shall not be restored until the cross connection has been eliminated in compliance with this section.

(e) The potable water supply made available on properties served by the public water supply shall be protected from possible contamination as specified by this section and by the State and County Plumbing Codes. Any water outlet which could be used for potable or domestic purposes and which is not supplied by the potable system must be labeled in a conspicuous manner as "WATER UNSAFE FOR DRINKING."

(f) This section shall not supersede the State and County Plumbing Codes.
(Ord. 158. Passed 4-1-75.)

1040.02 CONNECTIONS.

No person shall connect his or her home, place of business or other establishment to the water mains of the City without first obtaining a written permit therefor from the City Clerk. No person shall turn on the water to any home, place of business or other establishment without the written consent of the City Clerk. If the connection is made and the water is turned on by the duly authorized officers or employees of the Public Works Department, acting in the course of their duties as such, no other consent need be had.

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Any connection to the water lines of another home, place of business or other establishment which would in effect use water for purposes other than ordinary use of the place to which the connection is made shall be deemed a connection to the water mains of the City.

1040.03 FREE SERVICE PROHIBITED; BILLING.

No free service shall be furnished by the water system to the City, to any person, public or private, or to any public agency or instrumentality. Charges for service furnished by the system shall be billed and collected quarterly.
(Ord. 174. Passed 7-7-81.)

1040.035 SERVICE BEYOND CURB BOX.

The City will not install or repair water services beyond the curb box.

1040.04 DELINQUENT ACCOUNTS.

Charges for services furnished by the water system to any premises shall be a lien thereon as of the due date thereof. On March 1 of each year, the person or agency charged with the management of the system shall certify any charges which have been delinquent for six months or more to the proper tax accessing officer who shall enter the same upon the next tax roll against the premises to which such services have been rendered. The charges shall be collected and the lien shall be enforced in the same manner as provided for taxes assessed upon such roll.
(Ord. 174. Passed 7-7-81.)

1040.05 SPECIAL RATES AND CHARGES.

In those cases where a special charge for water should be made because of special circumstances, Council may establish special rates and charges by resolution.
(Ord. 200. Passed 11-3-87.)

1040.06 CHARGES FOR SERVICE IN CITY.

(a) Quarterly Base Charge. All premises in the City shall be subject to a quarterly base charge according to the size of the water meter and service connected to the premises as follows:

<u>Meter Size (in.)</u>	<u>Quarterly Base Charge</u>
5/8 or 3/4	\$ 30.00
1	36.00
1-1/2	44.40
2	58.50
3	181.20
4	226.50
6	332.40

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(b) Commodity Charge. In addition to the quarterly base charge, all premises in the City connected to the system shall pay a commodity charge for the amount of water used at the rate of two dollars (\$2.00) per 1,000 gallons.

The rates set forth in this subsection shall be increased by two percent annually, commencing January 1, 2003.

(Ord. 250. Passed 1-5-99.)

(c) Connection Charge. A connection charge shall be charged to each premises in the City connected to the City water system. This charge shall be the sum of the following:

- (1) The actual cost of all labor and material and any other expenses required to provide the necessary service, up to and including the curb box and valve;
- (2) The actual cost of all labor and material required to provide the necessary metering equipment; and
- (3) An administrative fee of fifteen percent of both paragraphs (c)(1) and (2) hereof.

If the connection is constructed and paid for directly by the property owner, the City shall waive the connection charge, except for the actual costs incurred by the City of inspecting such connection. All construction shall be in accordance with City specifications.

(Ord. 243-A. Passed 10-15-96.)

(d) Benefit Charge. In addition to the connection charge, a benefit charge of two thousand sixty-four dollars (\$2,064) shall be charged for each single-family residential equivalent in the City connecting to the system after the effective date of this section.

The single-family residential equivalency shall be determined from the Table of Unit Factors set forth in Section 1040.08. Such Table shall set forth and identify the type of premises and all applicable factors to be multiplied by the benefit charge for single-family residential premises. Such Table may be modified or amended from time to time by resolution of Council.

Rules for interpreting the Table of Unit Factors are as follows:

- (1) The minimum equivalent factor for users shall be 1.0.
- (2) Equivalent units for users not originally contained in such Table may be added thereto from time to time by resolution of Council.
- (3) Where multiple businesses exist at one location, the various businesses shall be combined for determining the equivalent units at such location.

The above stated charge shall be adjusted annually from the previous year with the first adjustment occurring on January 1, 2003, and shall be not less than two percent annually, nor more than the rate of inflation as determined by the Federal Consumer Price Index for the Detroit, Ann Arbor and Flint region. The City Council shall consider and set the annual adjustment by Resolution.

(Ord. 200. Passed 11-3-87; Ord. 260. Passed 8-7-01; Motion 12-17-02-08. Passed 12-17-02.)

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1040.07 CHARGES FOR SERVICE OUTSIDE CITY.

(a) Quarterly Base Charge. All premises outside the City shall be subject to a quarterly base charge, according to the size of the water meter and service connected to the premises, as follows:

<u>Meter Size (in.)</u>	<u>Quarterly Base Charge</u>
5/8 or 3/4	\$ 45.00
1	54.00
1-1/2	66.60
2	87.75
3	271.80
4	339.75
6	498.60

(b) Commodity Charge. In addition to the quarterly base charge, all premises outside the City connected to the system shall pay a commodity charge for the amount of water used, at the rate of three dollars and twenty-five cents (\$3.25) per 1,000 gallons.

The rates set forth in this subsection shall be increased by two percent annually, commencing January 1, 2003.

(Ord. 250. Passed 1-5-99.)

(c) Connection Charge. A connection charge shall be charged to each premises outside the City connected to the City water system. This charge shall be the sum of the following:

- (1) The actual cost of all labor and material and any other expenses required to provide the necessary service, up to and including the curb box and valve;
- (2) The actual cost of all labor and material required to provide the necessary metering equipment; and
- (3) An administrative fee of thirty percent of both paragraphs (c)(1) and (2) hereof.

If the connection is constructed and paid for directly by the property owner, the City shall waive the connection charge, except for the actual costs incurred by the City of inspecting such connection. All construction shall be in accordance with City specifications.

(Ord. 243-B. Passed 10-15-96.)

(d) Benefit Charge. In addition to the connection charge, a benefit charge of three thousand ninety-six dollars (\$3,096) shall be charged for each single-family residential equivalent outside the City connecting to the system after the effective date of this section.

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The single-family residential equivalency shall be determined from the Table of Unit Factors set forth in Section 1040.08. Such Table shall set forth and identify the type of premises and all applicable factors to be multiplied by the benefit charge for single-family residential premises. Such Table may be modified or amended from time to time by resolution of Council.

Rules for interpreting the Table of Unit Factors are as follows:

- (1) The minimum equivalent factor for users shall be 1.0.
- (2) Equivalent units for users not originally contained in such Table may be added thereto from time to time by resolution of Council.
- (3) Where multiple businesses exist at one location, the various businesses shall be combined for determining the equivalent units at such location.

The above stated charge shall be adjusted annually from the previous year within the first adjustment occurring on January 1, 2003, and shall be not less than two percent annually, nor more than the rate of inflation as determined by the Federal Consumer Price Index for the Detroit, Ann Arbor and Flint region. The City Council shall consider and set the annual adjustment by Resolution.

(Ord. 200. Passed 11-3-87; Ord. 260. Passed 8-7-01; Motion 12-17-02-08. Passed 12-17-02.)

1040.08 TABLE OF UNIT FACTORS.

<u>Type of Premises</u>	<u>Residential Equivalent</u>
Barber shops	0.15 per chair
Bars	0.05 per seat
Beauty shops	0.25 per booth
Boarding houses	0.20 per person
Bowling alleys (no bars or lunch facilities)	0.15 per alley
Car washes	1.3 per stall
Churches	0.01 per seat
Convalescent homes (nursing homes)	0.40 per bed
Country clubs	0.10 per member
Drug stores	0.20 per employee
Dry cleaners	1.25 per press
Factories (exclusive of industrial wastes)	0.15 per person
Grocery stores and supermarkets	0.30 per employee
Hospitals	1.10 per bed
Hotels, motels (private baths, two-person room)	0.20 per bed
Industries (process waters)	To be determined at time of application
Laundries (self-service)	0.50 per washer
Marinas	0.10 per slip
Mobile homes	1.00 per unit
Multifamily residences	1.00 per living unit

(Cont.)

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<u>Type of Premises</u>	<u>Residential Equivalent</u>
Office buildings	0.10 per employee
Restaurants	0.10 per seat
Rooming houses (no meals)	0.10 per person
Sanitary trailer and boat dump stations	2.00 per station
Schools (showers and cafeteria)	0.06 per student
Schools (cafeteria)	0.045 per student
Schools (showers)	0.05 per student
Schools (without showers and cafeteria)	0.03 per student
Service stations	0.20 per pump
Single-family residences	1.00 per unit
Snack bars, drive-ins, etc.	0.10 per seat
Stores (other than specifically listed)	0.15 per employee
Trailer parks (central bathhouses)	0.35 per trailer
Trailer parks (individual sewer connections)	1.00 per trailer
Travel trailer parks and campgrounds	
(with individual sewer connections)	0.20 per site
(without individual sewer connections)	0.15 per site

NOTE: Each connection to the public water system will be assigned a minimum of one equivalent user. Where fractional units above 1.00 are computed, the nearest whole number will be assigned.
 (Ord. 200. Passed 11-3-87; Unno. Res. Passed 10-3-89; Unno. Motion. Passed 11-21-89.)

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1040.09 TURN-ON CHARGE.

When the supply of water is shut off by the City for nonpayment of water charges, a turn-on charge of fifty dollars (\$50.00) shall be made to restore service to the premises. When the supply of water is shut off by the City at the request of the water customer, a turn-on charge of thirty dollars (\$30.00) shall be made to restore service to such premises.

(Ord. 200. Passed 11-3-87.)

1040.10 SECURITY DEPOSIT.

A cash deposit of seventy-five dollars (\$75.00) as security deposit from a user shall be required for each user, in accordance with such policy as Council deems advisable.

(Ord. 200. Passed 11-3-87.)

1040.11 FIRE HYDRANT RENTAL.

For the use of water through fire hydrants and for the availability of such water, the City shall pay, in equal quarterly installments, the sum of two hundred twenty-five dollars (\$225.00) per hydrant per year. Such payments shall be made from the funds legally available for such purposes or from the proceeds of taxes which the City levies within the Charter tax rate limitations.

(Ord. 200. Passed 11-3-87.)

1040.115 FIRE HYDRANT FEE.

A fire hydrant fee of one hundred dollars (\$100.00) is hereby established in and for the City for the filling of swimming pools, tankers for grass turf, paving equipment, etc. The Perry Area Fire Department shall be exempted from the provisions of this section.

(Unno. Motion. Passed 5-2-95.)

1040.12 APPLICATION OF CHARGES.

Any person who has paid the then prevailing connection charge and benefit charge, and who has not completed his or her connection by the effective date of this section (Ordinance 200, passed November 3, 1987), shall be required to pay the additional sums necessary to comply with the various rates imposed by this section prior to making the connection to the City system.

All connection fees and benefit charges must be paid prior to making the connection to the City system. (Ord. 200. Passed 11-3-87.)

1040.13 LATE PAYMENTS.

If a bill for water service is not paid within fifteen days after the date rendered, ten percent of the bill shall be added thereto as a penalty for failure to make prompt payment. (Ord. 56. Passed 10-15-56.)

1040.14 WATER SYSTEM CONNECTION REQUIRED.

No person shall construct a building or move a building to be used for human occupancy, employment, recreation or other purpose within the city and within 200 feet of a city public water main without connecting such building to the city water system in accordance with this chapter.

(Ord. 277. Passed 1-6-04.)

1040.99 PENALTY.

(EDITOR'S NOTE: See Section 202.99 for general Code penalty if no specific penalty is provided.)

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